

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

IN RE:)
)
SIAMAK LOGHMANI) Case No. 11-14389-BFK
) (Chapter 11)
Debtor)

CONSENT ORDER RESOLVING DEBTOR'S OBJECTION_
TO CLAIM NO. 20 OF VANTRIA FEDERAL CREDIT UNION

THIS MATTER HAVING come before the Court on the Objection to Secured Proof of Claim [Dkt. No. 41] filed herein by the debtor, Siamak Loghmani ("Debtor"), with respect to Claim No. 20-1 ("Claim") of Vantria Federal Credit Union ("VFCU"), and the Response thereto filed herein by VFCU [Dkt. No. 46]; and the parties having subsequently reached a resolution of this matter with respect to the Claim (which was previously amended and docketed as Claim No. 20-2); and the parties having incorporated their settlement in this Consent Order; it is, by the Court:

ORDERED, that the Claim be and it hereby is ALLOWED herein as a secured claim in the principal amount of \$11,000 for purposes of this case; and it is further

ORDERED, that the Claim will be paid in full, without interest, as a Class 2 claim under the Amended Chapter 11 Plan of Reorganization [Dkt. No. 89] filed herein by the Debtor ("Plan"); and it is further

Roderick H. Angus, Esq.
VSB No. 22592
Huston & Angus, PLC
Counsel for Vantria Federal Credit Union
5529 Lee Highway
Arlington, VA 22207
Telephone No. (703) 536-5444
Facsimile No. (703) 237-2310

ORDERED, that upon payment in full of VFCU's secured claim [Claim No. 11-2] in the Chapter 13 proceeding (Case No. 08-13496-RGM) now pending in this Court by the codebtor on the underlying loan which is the basis for the Claim herein, Shahrzad Bastami ("Codebtor"), VFCU shall release its lien on the collateral for the Claim and forward the lien-released Certificate of Title for the subject vehicle to the Debtor and the Codebtor; and it is further

ORDERED, that upon payment in full of the secured claim in the Codebtor's Chapter 13 case, the Claim herein will thereafter be paid in full, without interest, as a general unsecured Class 3 claim under the Plan; and it is further

ORDERED, that none of the payments which are hereafter received by VFCU for its secured claim in the Codebtor's case shall be credited against the amount due on the Claim herein (the parties having already given due credit for the anticipated future payments on the secured claim in the Codebtor's case for purposes of computing the amount of the Claim as set forth in this Order); and it is further

ORDERED, that to the extent VFCU receives any *pro rata* disbursements on its unsecured claim in the Codebtor's case, such disbursements shall be credited against the amount due on the Claim herein; and it is further

ORDERED, that in the event the Codebtor fails to pay the secured claim in her Chapter 13 case in full, in such event VFCU shall be entitled to amend the Claim herein to provide for the additional dollar amount which it should have received in the Codebtor's case (and under those circumstances, VFCU would also be entitled to retain its lien on the collateral for the Claim herein until the Claim has been fully satisfied); and it is further

ORDERED, that VFCU shall file a second amended proof of claim for the Claim which is consistent with the provisions of this Order.

Brian F. Kenney
United States Bankruptcy Judge

Consented to:

/s/ Roderick H. Angus
Roderick H. Angus - #22592
HUSTON & ANGUS, PLC
5529 Lee Highway
Arlington, Virginia 22207
Counsel for VFCU

/s/ Alfred P. Boland
Alfred P. Boland - #31037
4000 Legato Road, Suite 1100
Fairfax, Virginia 22033
Counsel for debtor

Local Rule 9022-1(C) Certification

The foregoing Order was endorsed by and/or served upon all necessary parties pursuant to Local Rule 9022-1(C).

/s/ Roderick H. Angus
Roderick H. Angus

Copies To:

Roderick H. Angus
Counsel for VFCU

Alfred P. Boland
Counsel for debtor

Copy mailed to:

Siamak Loghmani
4801 Christie Jane Lane
Fairfax, Virginia 22030
Debtor